



1653
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Prior Art
Patent

Attorney Docket No. 047542/0197

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3/26/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William G. Hubbard et al.

Serial No.: 09/626,326

Filed: July 26, 2000

Group: 1653

For: TISSUE AUGMENTATION MATERIAL
AND METHOD

I hereby certify that this correspondence is being
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Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97

Dear Sir:

Applicant submits herewith PTO Form 1449 and copies of the disclosed references for consideration by the U.S. Patent and Trademark Office in connection with the above-identified application. Each item of information contained in the information disclosure statement was cited in a communication from the Japanese Patent Office in the corresponding Japanese Application. This communication was received in our office on January 18, 2002. Since this information disclosure statement is being filed within the three months allowed under 37 C.F.R. §1.97(e)(1), no fee is thought to be due. If any fees are due, the Commissioner is hereby authorized to charge any deficiency or credit any over payment to Deposit Account No. 06-1450 of Foley & Lardner. A duplicate copy of this sheet is enclosed.

It is believed that these references either taken alone or in combination do not disclose or suggest the invention claimed by the Applicant. However, it is the Applicant's desire to have these references available in the record for both the Examiner and the public to see. Applicant specifically reserves all rights of privilege and confidence with respect to this matter and submission of this document is not to be construed as a waiver of those rights. Moreover, submission of this document should not be considered an admission that the references cited herein are proper prior art to the aforementioned application.

Applicant respectfully requests that the Examiner consider the listed documents, and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that listed documents are material or constitutes "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Respectfully submitted,



Marshall J. Brown
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March 11, 2002